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Follow-up to and implementation of the outcome of the 2002 International Conference on Financing for Development and the 2008 Review Conference

Letter dated 16 August 2010 from the representatives of France, Japan, Norway and Spain to the United Nations addressed to the Secretary-General

As you know, the General Assembly informal event on innovative sources of development finance, held on 3 June 2010, drew in a very large number of delegations and attracted considerable interest.

The event resulted from a request made by the General Assembly in its resolution 64/193 of 21 December 2009.

In the interests of ensuring that the fruitful discussions and findings of 3 June 2010 inform the work of the forthcoming General Assembly, which will take up the issue once again, we wish jointly to request you to circulate to all delegations, as a document of the General Assembly, the summary by the Chair of that event (see annex).

(*Signed*) Nicolas **de Rivière**
Chargé d'affaires a.i.
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Annex to the letter dated 16 August 2010 from the representatives of France, Japan, Norway and Spain to the United Nations addressed to the Secretary-General

Informal event on innovative sources of development finance, 3 June 2010

Summary by the Chair

Introduction

1. The United Nations General Assembly, in its resolution 64/193, recognized the potential of various voluntary innovative sources of financing to supplement traditional sources of financing, stressed that those funds should be disbursed in accordance with the priorities of developing countries and should not burden them unduly, and encouraged the Secretary-General to organize an informal event in 2010, within existing resources, on the potential of voluntary innovative sources of development finance.

2. Accordingly, the Financing for Development Office of the Department of Economic and Social Affairs of the United Nations Secretariat, in partnership with the Permanent Missions of Brazil, Chile, France, Japan, Norway, the Republic of Korea and Spain, convened the informal event on Innovative Sources of Development Finance on 3 June 2010 at United Nations Headquarters [in New York] from 10 a.m. to 1 p.m. and from 3 to 6 p.m.

3. The Deputy Secretary-General of the United Nations, Asha-Rose Migiro, opened the meeting and delivered an opening address. The full-day event was chaired by Philippe Douste-Blazy, Special Adviser to the United Nations Secretary-General on Innovative Financing for Development.

4. The main purpose of the meeting was to provide a platform for an informal interactive discussion at a high political level on the full range of issues related to promoting innovative sources of finance towards the achievement of the Millennium Development Goals by 2015. To this end, the event featured two consecutive panel discussions on (a) mechanisms of innovative development financing in operation and (b) innovative development financing initiatives under development.

5. The informal event, including panel discussions, was open for participation by representatives of all Member States, observers, relevant entities of the United Nations system and other accredited intergovernmental and non-governmental organizations, civil society and the business sector.

6. Background materials, including the concept note, tentative programme (with links to presentations) and relevant reports, have been posted on the Financing for Development website at www.un.org/esa/ffd/events/2010innovfinance/index/htm.

7. Deliberations of the meeting, including key substantive points, presentations by the panellists and the discussion among the participants, are summarized below.

Overview of key substantive points

8. The international commitment to help developing countries achieve the Millennium Development Goals by 2015 requires the mobilization of additional revenues from new and existing instruments of innovative sources of finance. There is an urgent need to take concrete and decisive steps to expand innovative financing in the run-up to the summit on the Millennium Development Goals in September 2010.

9. Such financing should be disbursed in a manner that respects the priorities of developing countries and should neither substitute nor adversely affect the level of traditional sources of development finance. There is a need to establish a monitoring mechanism to assess the impact of existing mechanisms and to identify the most cost-effective instruments.

10. Several innovative mechanisms built around public-private partnerships have provided an important supplement to available financial resources for development. Increased participation in these mechanisms would contribute to both redistribution and delivery of global public goods, for instance, through air ticket levies, carbon taxes, a tax on arms trade and a currency transactions tax.

11. The potential of raising revenue through the currency transaction tax is technically feasible without adversely affecting financial markets. The advantage of the tax/levy approach is that it can generate large, predictable and sustainable finance, while internalizing external costs and activities.

12. The International Drug Purchase Facility, UNITAID, patent pool initiative has the potential of making medicines available at a cheaper cost where they are most needed.

13. Increased long-term pledges by Governments are needed to raise money in bond markets for front-loading of financing of immunization and other GAVI Alliance programmes. This financial engineering leads to predictable and stable flows with lower borrowing costs.

14. Advance market commitments can assure researchers and pharmaceutical companies that the demand will be there once the vaccine is developed. This mechanism can, in turn, stimulate research and development of medicines and vaccines most needed by developing countries.

15. A new international convention on transparency in economic activity and, in particular, an agreement that no jurisdictions would have rules or laws that undermine the laws of other jurisdictions, would help to alleviate the problem of illicit capital flows.

16. Innovative financing in education will help to provide predictable and sustained funding, raising the profile and visibility of education, encouraging effective spending and addressing the needs of conflict-affected countries.

17. Innovative financing has focused mostly on health issues and it should be expanded to other crucial areas, including food security, environment and climate change.

18. The United Nations system has an important role to play as a catalyst for new ideas, a forum for consensus-building and an agent for implementation. It was

proposed that an expert group within the United Nations intergovernmental framework be created to explore new proposals on innovative financing mechanisms the scale of which should be significantly greater than that of existing ones.

Informal summary of the proceedings

Opening plenary

19. In her opening address, Asha-Rose Migiro, Deputy Secretary-General of the United Nations, noted the serious shortfall of traditional sources of funding in meeting long-standing aid commitments, reiterated that they remain vital and emphasized the need for closing the funding gap to achieve the Millennium Development Goals by 2015. She recalled that, since the 2002 Monterrey Conference on Financing for Development, developed and developing countries had proposed innovative financing mechanisms and successful health-related initiatives and had recognized their great potential to address a wide range of pressing development challenges. She called for the identification of the most useful and realistic proposals and moving quickly towards their implementation in cooperation with business, civil society and the world public. In order to increase the scale of innovative financing mechanisms and apply them to a broader area of development agenda, the Deputy Secretary-General stressed the need for more technical expertise and greater political efforts. According to Ms. Migiro, the United Nations system should be a catalyst for new ideas, a forum for consensus-building and an agent for implementation. Ms. Migiro called upon the participants to generate the momentum and commitment needed for additional financing mechanisms and a successful summit on the Millennium Development Goals in September 2010.

20. Philippe Douste-Blazy, Special Adviser to the Secretary-General on Innovative Financing for Development, expressed concern that, while the negative impacts of the financial and economic crisis, which had originated in the developed world, deeply affected people in developing countries, those same countries remained excluded from enjoying the benefits of globalization and the existing international trade framework. Given the projections on the decrease in official development assistance, there was a huge demand for additional resources to meet the needs related to food security, climate change and the impact of the financial crisis. He called for creating new dynamics to stimulate innovative financing for development. With only 142 days remaining before the summit on the Millennium Development Goals in September 2010, there was an urgent need to take concrete steps to expand innovative financing for development initiatives.

21. In taking stock of the progress attained through existing mechanisms, Mr. Douste-Blazy highlighted the achievements of the International Finance Facility for Immunization through the GAVI Alliance and UNITAID. In addition, he proposed to create an expert group within the United Nations intergovernmental framework to explore and identify new proposals on innovative financing mechanisms the scale of which should be significantly greater than that of existing ones.

22. To address the global solidarity dilemma without distorting the real economy, Mr. Douste-Blazy suggested focusing on mechanisms that were able to channel the wealth of the global economy on a large scale and make significant contributions to addressing the impact of the crisis. With reference to the expected benefits of the

currency transaction tax and the UNITAID patent pool initiative, he stressed that innovative financing mechanisms should represent not only additional funding but also new, targeted ways of spending.

Panel discussion 1, mechanisms of innovative development financing in operation

23. Panel discussion 1 (morning) focused on mechanisms of innovative development financing in operation and featured the following presentations: (a) Mr. Cyrille Pierre, Deputy Director for Global Economic Affairs and Development Strategy, General Directorate for Globalization, Development and Partnerships, Ministry for Foreign and European Affairs, France — "Overview of the Leading Group on Innovative Financing for Development"; (b) Edward Ross, Director, Corporate Marketing, Amadeus IT Group SA — "Voluntary solidarity contributions"; (c) David Ferreira, Managing Director for Innovative Finance; Head of Washington, D.C. Office of GAVI Alliance — "International Finance Facility for Immunization (IFFIm)"; (d) Susan McAdams, Director, Multilateral and Innovative Financing Department, World Bank — "Advance market commitments (AMC)"; and (e) Ellen 't Hoen, Senior Adviser for Intellectual Property and Medicines Patent Pool, UNITAID — "UNITAID and the patent pool initiative". Subsequently, a total of 14 delegations, including Japan (current presidency of the Leading Group on Innovative Financing for Development), Yemen (on behalf of the Group of 77 and China), the European Union (on behalf of its member States), Chile, the Bolivarian Republic of Venezuela, Gabon, the United States of America, Germany, the United Kingdom of Great Britain and Northern Ireland, Brazil, the Republic of Korea and Canada, as well as the Organization for Economic Cooperation and Development and the Sovereign Order of Malta, participated in the discussion.

Summary of the presentations by the panellists

24. Cyrille Pierre presented an overview of the activities of the Leading Group on Innovative Financing for Development. After a brief review of the steps already accomplished, he emphasized the fact that what had started as a utopia had materialized into reality as a concrete and viable mechanism of mobilizing new resources to fund development. Mr. Pierre explained how innovative financing for development had been born out of the need to fill the gap left by official development assistance flows, due to their relative unreliability, their unpredictability in the long run and their dependency on the economic situations in donor countries. He also pointed out the failures of the market economy and private capital flows to meet development needs. According to the speaker, innovative finance was a new way to mitigate official development assistance volatility, respond to market distortions in many areas, and mobilize and channel resources towards the funding of global public goods in health, environment and other critical sectors.

25. Mr. Pierre identified six categories of innovative finance on which the Leading Group focused its efforts. These included (a) the tax on global activities, such as levies on airline tickets; (b) market mechanisms, such as Germany's carbon dioxide auctioning; (c) guarantee mechanisms, such as the International Finance Facility for

Immunization; (d) voluntary contributions by citizens and businesses; (e) mechanisms related to debt management and debt swaps, such as the Debt2Health and debt-to-environment initiatives; and (f) international lottery proceeds for development. He emphasized the critical role played in those six areas, by public-private partnerships, including the joint efforts of citizens, civil society and private foundations.

26. Mr. Pierre pointed out that innovative finance was not just about taxes and that it should be taken as a complement to official development assistance, rather than as an alternative. Moreover, global taxes were not in contradiction with national jurisdictions; they could be coordinated globally but executed at the national level. According to Mr. Pierre, the proposed taxes should not be seen as anti-business instruments; there should be "smart" taxes of minimal amounts that would not distort markets. He also pointed out that innovative finance should not been seen as a hurdle to official aid coordination and stressed that the United Nations should play an important role in helping to take the work of the Leading Group to higher levels of participation and accomplishment.

27. Edward Ross spoke about his company's involvement in voluntary solidarity contributions through the "Massivegood" initiative, launched in the United States in March 2010. After highlighting the success of collecting over $1 billion for UNITAID with the airline ticket levies implemented in several countries, Mr. Ross recalled the initial involvement of Amadeus in this initiative, which had led to the company's increasing commitments, as two other major travel distributing companies had joined in. He highlighted the fact that the long-term success of "Massivegood" depended on the good perceptions of the general public, which applied to any successful consumer brand or product. For the "Massivegood" instrument to be successful, it should be "known" (by differentiating itself in a crowded market), "available" (to a critical mass of the global travel sellers), "chosen" (over other donation options) and "trusted" (by explaining where the donated money went and how it was used in a clear and consistent manner).

28. David Ferreira focused on the work of the International Finance Facility for Immunization to finance GAVI Alliance programmes. He explained that long-term pledges made by Governments were used to raise money in bond markets. From 2006 to March 2010, the Facility had raised $2.6 billion, mostly by issuing foreign currency denominated bonds in Japan, with the pledges made by nine countries, including South Africa. The Facility was recognized as an "effective, efficient and lean vehicle" to complement official development assistance flows by allowing, firstly, visible, long-range, multi-year planning and, secondly, by providing effective timing of finance by issuing bonds when needed for vaccines. Other innovative mechanisms contributing to GAVI Alliance programmes included solidarity levies, debt buy-downs, de-tax and public-private partnerships. Although the Facility's contributions had been significant in the overall funding of the GAVI Alliance, its importance was projected to diminish from 2010 onwards. Considering the GAVI funding requirement of $4.3 billion for 2010-2015, of which $1.3 billion would be funded by proceeds of the International Finance Facility for Immunization, the funding gap was estimated at $2.6 billion. To fill that gap, the GAVI Alliance should request existing donors to increase their pledges and should seek pledges from new donors or from new mechanisms. If financed sufficiently, GAVI Alliance programmes would prevent 4.2 million deaths by 2015.

29. Susan McAdams highlighted salient features of innovative financing, such as addressing specific development needs, raising additional funds through financial engineering and making efficient use of available resources. In terms of additionality, she referred to three types of sources of finance: (a) obligatory financing; (b) voluntary private financing; and (c) domestic sources of financing. With regard to achieving specific impacts, Ms. McAdams gave the example of emission reduction where developed countries supported projects in developing countries to reduce the amount of carbon dioxide emitted, including through the Clean Development Fund managed by the World Bank. Talking about the role of financial engineering in increasing efficiency of development financing, Ms. McAdams mentioned the International Finance Facility for Immunization as a mechanism for front-loading aid to address urgent needs in the health sector (immunization) that would otherwise require more resources and efforts, and to overcome the volatility and unpredictability of aid flows.

30. Ms. McAdams described the advance market commitments initiative as a financial pull mechanism which provided access to vaccines in developing countries. As in the case of the International Finance Facility for Immunization, advance market commitments were designed to support GAVI Alliance programmes. She explained how the uncertainty of demand for vaccines against certain types of diseases prevalent in the developing world would lead to a shortage in supply and higher prices. That financial pull mechanism was intended to assure researchers and pharmaceutical companies that the demand would be there once the vaccine was developed. That arrangement could, in turn, stimulate research and development of medicines and vaccines related to diseases most often found in developing countries. Using donors' pledges, advance market commitments subsidized vaccine purchase at a set price for a set period in advance. As part of a production scale-up, and in order to accelerate the introduction of needed vaccines in the world's poorest countries, developing-countries' manufacturers were also encouraged to participate in that scheme.

31. Ellen 't Hoen presented the achievements of UNITAID and a recently established patent pool initiative. She pointed out that UNITAID had provided one of the first examples of how small taxes on airline tickets implemented in six developed and developing countries could be beneficial for global health. She stated that UNITAID was not only an innovative way of resource mobilization but also of resource spending based on a true North-South collaboration. She highlighted the fact that, by disbursing more than $1 billion in the past three years, UNITAID had supplied 21 million treatments for HIV/AIDS, malaria and tuberculosis to 94 countries worldwide, including in Africa.

32. The speaker described the UNITAID patent pool initiative as a possible way to boost the availability of new and more patent-friendly medicines for people in developing countries. It required the willingness of patent holders to license their patents to the pool to be used by other entities to obtain licences to use the patents in exchange for the payment of royalties. Licence agreements could make medicines available to people in low-income and middle-income countries, where the need for more affordable and suitable medicines was widespread. That arrangement would diversify supply sources, expand generic market size and competition, facilitate the development of improved formulations for developing countries and reduce transaction costs for licensing agreements, while minimizing legal uncertainty for generic companies and patent holders. However, for that initiative to work, it was

essential to ensure collaboration between patent owners and generic manufacturers, sufficient levels of global health funding and strong political support.

Summary of the discussion

33. The representative of Japan drew attention to the limited time left before the September summit on the Millennium Development Goals. As the President of the Leading Group on Innovative Financing for Development for the second half of 2010, he expressed the interest and commitment of all Leading Group Members to the meeting and to further discussions on the subject. The speaker also highlighted the international community's increasingly strong interest in innovative financing mechanisms and the need for identifying new sources of finance for development. He stressed the importance of gaining support from a broader range of countries and suggested starting with modest schemes before expanding them further.

34. The representative of Yemen, speaking on behalf of the Group of 77 and China, welcomed the opportunity to exchange views on innovative development finance. The Group of 77 and China agreed that innovative financing mechanisms could making a positive contribution in assisting developing countries to mobilize additional resources for financing development on a stable, predictable and voluntary basis. He stressed, however, that such financing should be disbursed in a manner that was respectful of the priorities of developing countries and should neither substitute nor negatively affect the level of traditional sources of development finance. While acknowledging both the considerable progresses made in some initiatives and the importance of exploring the possibility of scaling-up present initiatives and developing new mechanisms, the speaker emphasized that priorities should remain focused on providing additional, stable and supplementary resources to traditional sources of development finance. He also underlined the potential role that innovative financing mechanisms could play in the achievement of the Millennium Development Goals and in supplementing the global partnership for development. The Group of 77 and China remained firmly committed to advancing the discussions on the subject.

35. The representative of Chile referred to the Santiago Declaration adopted by the seventh plenary meeting of the Leading Group, held in Santiago on 28 and 29 January 2010, in which the Leading Group confirmed its determination to adopt and expand innovative financing mechanisms, and reiterated its commitment to continuing its contributions towards the achievement of the Millennium Development Goals. The speaker highlighted various countries' contributions to UNITAID activities and expressed the desire that the summary of the meeting would soon become available to serve as an input to the substantive preparation for the September summit on the Millennium Development Goals.

36. The representative of the European Union, speaking on behalf of its member States, emphasized that innovative financing represented a vital addition to national resources for development and a complement to other resources. She noted that several innovative mechanisms had been built around public-private partnerships and had provided a good addition to existing resources as well as mechanisms to support development. In 2009, about one third of the European Union member States had raised funds via some form of innovative mechanisms, while most of the existing mechanisms had piloted in the European Union. After highlighting the

pioneering role played by some European Union member States and the achievements of implemented initiatives, the speaker stressed the importance of respecting aid effectiveness principles. In order to ensure accountable management and effective disbursement of proceeds of innovative finance, the most effective and representative institutional set-ups needed to be identified. Furthermore, the speaker argued, overlapping aid channels should be avoided.

37. The representative of the Bolivarian Republic of Venezuela noted that the innovative financing had focused mostly on health issues and recommended that it should be expanded to other crucial areas, including food security, environment and climate change. He called for more solidarity on poverty alleviation.

38. The representative of Gabon, while appreciating all the efforts made thus far, expressed concern about the lack of successful initiatives combating climate change and other issues relating to the environment. She stated that her Government would extend support to Mr. Douste-Blazy's proposal to establish an ad hoc group on innovative sources of finance. She also raised a question regarding the patent pool initiative.

39. In her reply, Ms. 't Hoen explained that licences from the patent pool could be obtained with the understanding that medical products would be sold only in developing countries.

40. The representative of the United States of America stated that all efforts to create new resources on a non-tax basis should be encouraged. He pointed out the lack of achievements in innovative financing initiatives in climate change and agriculture. The speaker expressed concern about proposed financial transactions taxes and argued that such taxes may distort the market, regardless of their size. He suggested making use of remittance flows to developing countries by, for example, reducing transaction costs. Highlighting grass-roots community efforts, as well as contributions made by non-governmental organizations and philanthropy to Haiti, the representative stressed that no drastic changes in the existing models and framework would be required. In his Government's view, sustaining existing models and creating an additional working group would be sufficient to address key issues.

41. The representative of Germany stated that his country had been an active member of the Leading Group and presented the two instruments initiated by his country. The first one was emission trading, which had proved to be effective and had a great potential to generate large-scale revenues for development. Under that initiative, part of the proceeds collected was used to tackle climate change issues. The speaker emphasized that, with the European Union emission trading scheme already in place, creating a new mechanism would not be required to realize its full potential. The other instrument implemented by Germany was a debt swap called Debt2Health, where developing countries could secure finance to fight against diseases, while reducing bilateral debt. He called upon all interested Governments to take part in the debt swap mechanism.

42. The representative of the United Kingdom noted that the current meeting was timely for the preparation of the Millennium Development Goal Summit. She stressed that meeting the official development assistance targets was not the only focus of attention in the Millennium Development Goal process. Highlighting her country's leading role in the International Finance Facility for Immunization and the advance market commitments, she emphasized that innovative financing

mechanisms should not be a substitute for official development assistance. However, bearing in mind that innovative finance was merely one way to finance development, she pointed out that maximizing the impact of official development assistance should remain a major priority of the international community.

43. The representative of Brazil supported the idea of creating an expert group devoted to innovative financing mechanisms in order to maximize their potential to complement official development assistance and to achieve the Millennium Development Goals. Stressing the importance of concrete proposals to move forward, he suggested that international lotteries be considered. In that regard, he gave the example of his own country, where proceeds from national lotteries were used to finance social programmes. He also argued that the intellectual property regime in its current form constituted a barrier for the development of affordable life-saving medicines.

44. The representative of the Republic of Korea highlighted his country's contributions to the implementation of airline ticket levies and the Leading Group. While praising the current international efforts in innovative financing mechanisms, he pointed out that, prior to expanding the number of initiatives, it would be necessary to establish a monitoring mechanism to assess the impacts of implemented initiatives and to identify the most cost-effective instruments. He noted some technical and legal issues at the national level that had limited the full participation of willing countries in International Finance Facility for Immunization and voluntary solidarity contributions, and asked the advice of the panellists with regard to those issues.

45. The representative of OECD argued that, as in the case of traditional sources of development assistance, innovative financing mechanisms should respect a recipient country's ownership and priorities. For example, recipient countries should be involved in the decision-making process to identify which vaccines were to be delivered. He also pointed out the need for examining the impacts of these mechanisms at the micro level (e.g. households), as opposed to the global level.

46. The representative of Canada stated that it was imperative to find new mechanisms to maximize the effectiveness of innovative sources of finance. As expressed by other delegations, he agreed that the discussions at the current meeting should feed into the September Summit preparations and that innovative financing mechanisms should be considered as a complement to official development assistance.

47. The representative of the Sovereign Order of Malta reiterated the timeliness of the meeting, as well as the high expectations with regard to the roles played by innovative financing mechanisms to achieve the health-related Millennium Development Goals. He pointed out the critical importance of securing more affordable medicines and supported the proposal to create an expert group on innovative sources of finance.

48. In responding to the points raised by delegations, Ms. McAdams underlined the importance of respecting a recipient country's ownership and policy priorities and of having a global solidarity on innovative financing mechanisms. On the growing interest in remittance flows to developing countries, she stated that such flows had the potential to be used for microfinance but they could not substitute official development assistance flows. The key questions were how to use

remittances more effectively and how to reduce their transaction costs. With regard to assistance to Haiti, Ms. McAdams was unaware of the role played by innovative mechanisms. However, in the case of tsunami aid efforts, she noted that the considerable volume of charitable contributions was highly correlated with media coverage. Regardless of the methods of fund-raising, she stressed that large flows of contributions should not be wasted.

49. Mr. Ferreira reiterated the long-term visibility of the International Finance Facility for Immunization and its ability to raise money in bond markets. He further stressed that the Facility had a solid AAA credit rating, which translated into lower costs of borrowing (owing to the sovereign guarantee). He shared the view about the importance of sustainable grass-roots involvement, which would serve to create a virtuous cycle of understanding and commitment for development. He also reiterated the willingness of the GAVI Alliance to continue to work together with the private sector and civil society.

50. In response to the concern expressed by the representative of the United States, Mr. Pierre stressed that the current economic situation in many donor countries was likely to leave less room for development finance. He argued that a global financial transactions tax was a new global reality and that necessary action should be taken now, rather than later. While acknowledging that no tax was perfect, he explained how the airline tickets levy introduced in France had worked without curbing the demand. He agreed that innovative mechanisms should be expanded to wider areas of development agenda beyond health.

Panel discussion 2, innovative development financing initiatives under development

51. Panel discussion 2 (afternoon) addressed innovative development financing initiatives under development and featured the following presentations: (a) Håkon Gulbrandsen, Senior Adviser for International Development, Ministry of Foreign Affairs, Norway — "The role of innovative finance in promoting sustainable financial flows for development"; (b) Raymond W. Baker, Director, Global Financial Integrity, and Leader, Task Force on Financial Integrity and Economic Development — "International tax cooperation"; (c) Takehiko Uemura, Associate Professor, Yokohama City University, and member, High-level Task Force on International Financial Transactions for Development — "Options and feasibility of carbon/environmental taxes and financial transactions/currency exchange taxes"; and (d) Susan Durston, Associate Director, Education Programme Division, United Nations Children's Fund — "Innovative financing for education". Following presentations by the panellists, eight delegations (Brazil, United States, France, OECD, European Union, Bolivarian Republic of Venezuela, Japan and Bangladesh) participated in the discussion.

Summary of the presentations by the panellists

52. Håkon Gulbrandsen spoke about the role of innovative finance in promoting sustainable financial flows for development. With respect to capital inflows to developing countries, he argued that official development assistance was not as important as one was led to believe. He showed a graph based on the World Bank,

United Nations Conference on Trade and Development and OECD estimates, where, on the one hand, remittances ($240 billion) accounted for more than double the official development assistance ($104 billion) and foreign direct investment ($500 billion) accounted for around five times the amount of official development assistance. On the other hand, he said that illicit capital outflows from developing countries were enormous at around $750 billion, a figure which undermined development.

53. The breakdown of illicit flows was estimated as follows: 5 per cent corruption (bribery and embezzlement of national wealth); 31 per cent crime (organized crime); and 64 per cent commercial activities (tax evasion). The speaker argued that the underlying reason was the lack of transparency in the international financial system. Proper regulation must be introduced so that banks knew their customers better. Mr. Gulbrandsen felt that there was a need for a new international convention on transparency in economic activity and, in particular, an agreement that no jurisdictions would have rules or laws that undermined the laws of other jurisdictions.

54. With regard to financial transactions taxes, Mr. Gulbrandsen expressed the view that it was a realistic proposal, since a small tax could generate a substantial amount of funds for development. He also mentioned that the Government of Norway favoured global taxes that would limit the negative impacts of globalization and create mechanisms for global redistribution. Norway would support innovative sources of finance that could contribute to global public goods, for instance, through airline ticket levies, carbon taxes, tax on the trade in arms, and a tax on currency transactions. Mr. Gulbrandsen also pointed out that the Government of Norway sought to ensure policy coherence on capital and development.

55. Raymond Baker focused on international tax cooperation. In particular, he called for international cooperation to address the issue of illicit financial flows and to seek global transparency in financial transactions. He stressed that illicit financial outflows from developing countries far exceeded the inflows of official development assistance and argued that the amount of such outflows was underestimated, given the large size of what he termed the "global shadow financial system". Among other things, that shadow system included tax havens, off-shore secrecy jurisdictions, flee clauses, disguised corporations, anonymous trusts and foundations, money-laundering techniques, and loopholes left in the laws of developed countries. As a result, it allowed for illegal transfer of earnings by corporations, the drug trade and commercial tax evasion through the wrongful pricing of trade.

56. According to Mr. Baker, the sheer size of those illicit financial flows implied that a huge amount of tax revenue was lost by developing countries, due to non-collection or under-collection of taxes, with severe implications for poverty and inequality in the developing world. He appealed for effective policies to address the global financial shadow system. As a first step, the speaker called upon developed countries to recognize their role in facilitating the shadow system through various loopholes in their laws that needed to be urgently reviewed and amended. He expressed the view that acknowledging the link between illicit flows of money and development was an essential step towards a more just economic order.

57. Takehiko Uemura discussed different approaches to innovative financing for the environment. These included various global environment taxes or levies, such as

the proposed global carbon dioxide levy or a currency transactions environment levy. Other approaches were auctioning assigned amount units or establishing a multilateral climate change fund. He pointed out that the advantage of the global tax/levy approach was that it could generate large, predictable and sustainable finance, while internalizing external costs and activities. Mr. Uemura also recalled that, in October 2009, the Leading Group established a Task Force on International Financial Transactions for Development and that its forthcoming report would address the technical feasibility and options of global financial transactions taxes.

58. Mr. Uemura then proceeded to discuss policy developments in Japan. In that regard, he referred to the establishment of the Japanese Commission for the Promotion of International Solidarity Levies, the objective which was to develop a realistic plan to realize international solidarity levies and especially a currency transactions levy. The Commission had produced an interim report, which had been submitted to the Minister of Finance and the Minister for Foreign Affairs. Mr. Uemura gave highlights of the report, in which it was recommended to the Japanese Government that it implement the currency transactions levy as soon as possible and to use the revenue for achieving the Millennium Development Goals. The Commission, among other things, had also requested the Japanese Government to legislate international solidarity levies and proposed to introduce an air-ticket solidarity levy as a first step.

59. Susan Durston spoke on the issue of innovative financing for education. Illustrating the magnitude of the problem, she stated that 72 million children of primary school age were out of school, of which 54 per cent were girls and 25 million lived in low-income countries affected by conflict. Hence, innovative financing for education would help to address the situation through providing predictable and sustained funding, raising the profile and visibility of education, encouraging effective spending and addressing the needs of conflict-affected countries. Ms. Durston referred to the creation of a task force on education within the Leading Group, which was expected to finalize its report by the end of July 2010. Ideas on education-specific resource mobilization included a soccer Federation of International Football Associations levy; teachers for education for all fund; public-private partnerships; diaspora bonds for education; and an endowment fund funded by sovereign wealth funds.

60. Ms. Durston also highlighted some of the challenges in this area, including the need for pro-poor proposals and the importance of targeting low-performance regions, schools and individuals. Options that may be considered included abolishing school fees and removing cost barriers, strengthening the supply-side of the schooling system and ensuring high quality across the system, with a focus on the marginalized. She suggested a number of mechanisms for ensuring the necessary reforms, including those providing innovative delivery, such as phone banking for teachers, and decentralized modalities, such as school grants. According to Ms. Durston, the necessary reforms should centre on core principles, such as country ownership, limiting new transaction costs and ensuring that funds were linked to results.

Summary of the discussion

61. The representative of Brazil noted that there were many challenges ahead and that the Leading Group on Innovative Financing for Development had contributed many ideas. However, there was a need for greater involvement of the United Nations, as well as for mainstreaming innovative financing issues. Highlighting the issue of illicit capital flows, he expressed support for the proposal to establish an intergovernmental commission on international cooperation in tax matters. In that connection, he enquired about the latest developments in fostering international cooperation to curb illicit capital flows and the role of the United Nations.

62. The representative of the United States noted that his Government had been making efforts to stop illegal capital flows in particular. He expressed his delegation's concern regarding international taxes, even at low rates, since that could distort international trade and production and could even help to boost tax havens. He asked Mr. Uemura for clarification of the panellist's statement that the currency transactions development levy would have no distortion of market owing to the low tax rate (0.005 per cent) and whether that tax could be introduced in just one country or currency.

63. In response, Mr. Uemura pointed out that the cost to the financial sector could be passed on to all players in the financial markets who benefited from globalization. He added that, ideally, all countries should introduce the tax at the same time, but that it was possible to do it in one country or one currency.

64. Mr. Douste-Blazy noted that the currency transactions levy should be internationally coordinated because if done unilaterally, it could have a negative impact in terms of reduction of transactions in the currency on which it was imposed.

65. Mr. Uemura was of the view that the reduction in transactions would be largely a reduction in speculative transactions.

66. The representative of France stressed the importance of synchronizing actions on innovative sources of development finance at the three levels: the United Nations, the Leading Group and the operators. The United Nations should promote policy coherence. In the future, consideration should be given to the extent and scale of those initiatives. He pointed out that the financial transaction tax, while controversial, should not be a taboo subject and that it should be discussed first at a technical level and then at a political level.

67. The representative of OECD noted that, with respect to illicit transfers, work had to be done both on the supply side and on the demand side. He added that the transfer of such funds should be made more difficult and that there should be a way to identify the movement of illegal funds. He asked whether the right instruments to cope with those problems were available and if so, what had to be done to strengthen them.

68. In response to OECD, Mr. Gulbrandsen said that all the instruments were available but not yet at the level that they should be. However, there had been a gradual improvement in that respect. There was also a need for pilot projects, such as the one being carried out by the African Tax Administration Forum regarding automatic exchange of tax information, but many more pilots in different areas were needed. Very important, too, was the political will to advance.

69. The representative of the European Union emphasized that global coordination was essential for the successful implementation of most instruments and that the participation of all relevant key players was vital. According to a recent European Commission document, there were some instruments whereby a significant "double dividend" of both raising revenue and improving market efficiency could be reaped, in particular, by ways of taxing the financial sector or carbon emissions. While there might be limited willingness to earmark all or part of the revenues from taxing financial institutions for development, it should be taken into consideration that such revenues would enhance the budgetary room for manoeuvre to preserve stable and predictable development aid, notably in the event of new financial crises. Regarding climate change, the European Commission document highlighted the fact that the more promising options related to the pricing of carbon emissions, which could create a "double dividend" of raising revenues and improving the efficiency of markets. The international commitments to help developing countries achieve the Millennium Development Goals might also require the use of revenues from new and existing instruments of innovative sources of finance.

70. The representative of the Bolivarian Republic of Venezuela emphasized the importance of financial transaction taxes in curbing speculation.

71. The representative of Japan emphasized that the issue of innovative sources of finance was still being studied by his Government and that the issue was who would pay and whether the suggested measures would elicit the support of the general public and taxpayers. Given the difficult economic situation, there had already been difficulty in obtaining public support for official development assistance and other disbursements for development. The representative asked Mr. Uemura whether it would be easier to persuade the public with regard to these types of initiatives or about official development assistance.

72. Mr. Uemura said that the expert group favoured a financial transaction tax over a value-added tax, since the first was a global tax and funds could be easily transferred. He added that those measures would not be for poor countries to take, but rather for the global rich and those who played in the global markets. Thus, those levies should be viewed as a global public goods fee.

73. Mr. Gulbrandsen indicated that the financial transaction tax of 0.005 per cent was too low to be felt by the public and that its support could be gained if it was explained that it would solve deep-set problems.

74. The representative of Bangladesh asked about the status of taxes on transactions in stock exchanges, since that tax had already been in place in 32 countries, including Brazil.

75. The representative of Brazil explained that his country had had, until recently, a financial transaction tax on checking accounts. At present, there was a tax on inflows of foreign capital for the financial and stock market transactions — but not for foreign direct investment — to combat speculative flows.

76. In closing, Mr. Gulbrandsen said that one of the reasons that illicit capital outflows were so much higher than official development assistance was the lack of financial transparency, which needed to be urgently addressed. Mr. Uemura referred to the funding gap, estimated at $225 billion a year, in meeting development needs and expressed the view that it would be better to pay now than to wait, since the cost could be a lot higher in the future. Ms. Durston stressed that innovative financing should not apply just to health, but could be put to good use in the area of education.

Closing of the meeting

77. The meeting concluded with closing remarks by Mr. Douste-Blazy, who explained that innovative financing was not just about new taxes, but rather, was based on voluntary solidarity contributions as a complement to official development assistance. He highlighted the role of the private sector, referring to the advance market commitments and the recent launch of the Massivegood initiative. He stressed that the success of UNITAID and the GAVI Alliance in supporting the health-related Millennium Development Goals was due to effective public-private partnerships and in that regard, emphasized the importance of the new patent pool initiative. In addition, he underscored the need to combat illicit capital flows from developing countries and the role of civil society in enhancing accountability and transparency in this area. He concluded that a United Nations-based expert group should explore current proposals, including financial transactions and environmental taxes in support of the Millennium Development Goals as well as new challenges and emerging issues such as climate change mitigation and adaptation.

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

The role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights

Report of the Secretary-General**

Summary

By paragraph 3 of its resolution 63/169 on the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights, the General Assembly requested the Secretary-General to submit a report to it at its sixty-fifth session on the implementation of the resolution. The present report, covering the period from December 2008 to September 2010, contains information on the activities undertaken by the Office of the United Nations High Commissioner for Human Rights to establish and strengthen independent and autonomous Ombudsman, mediator and other national human rights institutions, and measures taken by Governments in that regard; support provided to those institutions at the international and regional levels; technical assistance provided to and on Ombudsman, mediator and other national human rights institutions, together with other United Nations agencies and programmes; and cooperation between those institutions and regional and international mechanisms to promote and protect human rights. Information regarding the work of Ombudsman, mediator and other national human rights institutions in respect of specific thematic issues is also included.

The report updates the Secretary-General's reports to the General Assembly of 24 August 2009 (A/64/320) and to the Human Rights Council of 15 January 2010 (A/HRC/13/44).

* A/65/150.

** The present document was submitted late because the theme of the report introduced a new area of work for the National Institutions and Regional Mechanisms Section. Further research was therefore needed in order to include the latest information.

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I. Introduction

1. The present report is submitted pursuant to paragraph 3 of General Assembly resolution 63/169 on the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights, in which the Assembly requested the Secretary-General to report to it at its sixty-fifth session on the implementation of the resolution.

2. In resolution 63/169, the General Assembly recalled the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles); considered the role of the Ombudsman, mediator and other national human rights institutions in promoting good governance in public administrations, in strengthening the delivery of public services, as well as in contributing to the effective realization of the rule of law and respect for the principles of justice and equality; and stressed the important role of those institutions in advising Governments with respect to bringing national legislation and national practices in line with their international human right obligations. The Assembly encouraged Member States to consider creating or strengthening independent and autonomous Ombudsman, mediator and other national human rights institutions, and to develop, where appropriate, cooperation mechanisms between them to coordinate their action and strengthen their achievements. It also encouraged Member States to conduct communication campaigns in order to enhance public awareness on the importance of the role of the Ombudsman, mediator and other national human rights institutions; and to give serious consideration to implementing the recommendations and proposals of those institutions, with the aim of addressing claims of the complainants, consistent with the principles of justice, equality and rule of law.

3. Furthermore the General Assembly, in its resolution 64/161, underlined the importance of the autonomy and independence of the Ombudsman institutions, encouraged increased cooperation between national human rights institutions and regional and international associations of Ombudsmen, also encouraged Ombudsman institutions to actively draw on the standards enumerated in international instruments and the Paris Principles to strengthen their independence and increase their capacity to act as national human rights protection mechanisms; and further encouraged national institutions, including Ombudsman institutions, to seek accreditation status through the International Coordinating Committee.

II. Support of the Office of the United Nations High Commissioner for Human Rights for an Ombudsman, mediator and other national human rights institutions

4. The Ombudsman, mediator and other national human rights institutions are important partners of the Office of the United Nations High Commissioner for Human Rights (OHCHR). When independent and autonomous, these institutions have a crucial role to play in the effective implementation of international human rights standards at the national level. OHCHR engagement at the country level is aimed at strengthening the national systems for the promotion and protection of human rights, including through those institutions.

5. OHCHR therefore accords high priority to the establishment and strengthening of the Ombudsman, mediator and other national human rights institutions with due regard to the Paris Principles. The National Institutions and Regional Mechanisms Section, in close cooperation with the geographic sections in the Field Operations and Technical Cooperation Division as well as other relevant OHCHR divisions and field presences, coordinates OHCHR efforts aimed at establishing and strengthening national human rights institutions worldwide. In partnership with other United Nations agencies, funds, programmes and United Nations country teams, the National Institutions and Regional Mechanisms Section supports those institutions, including through technical cooperation and capacity-building projects.

6. To ensure that the Ombudsman, mediator and other national human rights institutions are established in compliance with the Paris Principles and work as credible and effective guarantors of human rights at the country level, OHCHR provides legal and technical assistance to relevant national stakeholders; the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) and its Subcommittee on Accreditation; and coordinating bodies of regional national human rights institution networks and regional and international associations of Ombudsmen. OHCHR assists the Ombudsman, mediator and other national human rights institutions to actively address core human rights concerns, contribute to the rule of law, fight impunity, contribute to transitional justice mechanisms and establish partnerships with other national stakeholders and civil society. The Office has also supported those institutions to increase their outreach at the international level, including by encouraging their participation in the United Nations human rights system and in regional human rights mechanisms.

7. In 2008, OHCHR introduced a fellowship programme through which staff from the offices of Ombudsman, mediator and other national human rights institutions accredited by ICC with "A status" are selected to work in the National Institutions and Regional Mechanisms Section for a period up to 12 months. So far, 10 fellows from all four regions have participated in this programme, gaining knowledge of and experience with the United Nations human rights system and bringing local national human rights institution experience to the work of OHCHR. During the reporting period, the Office hosted fellows from the National Commission for Human Rights of Togo, the Office of the Human Rights Defender of El Salvador, the Palestinian Independent Commission for Citizens' Rights, the Office of the Human Rights Defender of Nicaragua, the National Council for Human Rights of Egypt, the Uganda Human Rights Commission, as well as two fellows from the National Human Rights Commission of Nepal. The process for the selection of fellows includes consideration of academic background, relevant job experience and language proficiency. The final decision is taken in consultation with the members of the ICC Bureau. The programme has received much interest from national human rights institutions worldwide.

A. Advisory services provided by OHCHR

8. During the period under review, the Office facilitated awareness-raising activities, reviewed constitutional or legislative frameworks for new institutions, providing tailored advice on their nature, functions, powers and responsibilities.

Comparative analyses, capacity-needs assessments, project formulation and evaluation missions were also undertaken to strengthen existing institutions.

9. OHCHR continued to provide advice and assistance through its country and regional offices, human rights advisers and human rights components of United Nations peace missions, as well as through collaboration with United Nations agencies, funds and programmes, regional and subregional coordinating bodies of national human rights institutions and Ombudsman's associations.

10. During the reporting period, OHCHR provided advice and assistance to the Governments and/or Ombudsman, mediator and other national human rights institutions of Azerbaijan, Belarus, Benin, Botswana, Brazil, Chile, Colombia, the Comoros, the Congo, Djibouti, Ecuador, Georgia, Haiti, Indonesia, Ireland, Italy, Japan, Kosovo, Kuwait, Malaysia, Mali, Mexico, Monaco, Mozambique, Nauru, the Niger, Nigeria, Norway, the Occupied Palestinian Territory, Panama, Papua New Guinea, the Republic of Moldova, Serbia, Somalia, South Africa, Tajikistan, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, the United Arab Emirates, Uruguay and Zimbabwe.

1. The Americas and the Caribbean

11. During the reporting period, the OHCHR regional offices in Chile and Panama, the country offices in Bolivia (Plurinational State of), Colombia, Guatemala and Mexico, the human rights advisers in Ecuador, Honduras, Nicaragua and Paraguay and the human rights component of the United Nations Stabilization Mission in Haiti (MINUSTAH) continued to provide advice and assistance for the establishment and strengthening of Ombudsman, mediator and other national human rights institutions.

12. In Chile, OHCHR has been accompanying the efforts to establish two national institutions, namely, the National Human Rights Institute and the Ombudsman. It provided advice regarding the adoption of the Law establishing the National Human Rights Institute of Chile, which entered into force on 10 December 2009. Regarding the establishment of a Paris Principles-compliant Ombudsman, OHCHR, through its regional office in Chile, has held bilateral meetings with Government officials and civil society organizations, such as the Capitulo Chileno del Ombudsman, which aims at establishing an Ombudsman.

13. OHCHR has been providing support to the National Ombudsman Office of Haiti. In the aftermath of the February 2010 earthquake, the Office, in cooperation with the International Organization of la Francophonie (OIF) and the independent expert appointed by the Secretary-General on the situation of human rights in Haiti, has assisted the institution in strengthening its capacities. In July 2010, a joint OHCHR-OIF project was launched in order to assist the institution to carry out a capacity assessment with a view to promoting a human rights-based approach during the reconstruction phase. A consultant was deployed to work closely with the National Human Rights Institution in developing a capacity-needs assessment and programmatic documents. In March 2010, OHCHR supported the participation of the Chair of the National Ombudsman Office of Haiti at the twenty-third session of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, held in Geneva. During the session, a special meeting took place in order to discuss the role of ICC in assisting the National Ombudsman Office of Haiti.

14. In February 2010, OHCHR, in cooperation with the Office of the Ombudsman of Panama and the United Nations Children's Fund, organized a training session on the universal periodic review for civil society organizations in Panama. During 2010, the OHCHR Regional Office in Panama supported the initiative of the Ombudsman of Panama and the Coordinadora Nacional de Pueblos Indígenas with a view to promoting the ratification of the Convention concerning Indigenous and Tribal Peoples in Independent Countries (ILO Convention No. 169). OHCHR provided technical advice to indigenous organizations and the Ombudsman.

15. In June 2010, OHCHR, in cooperation with the National Human Rights Institution of Ecuador, organized a capacity-building activity for the staff and civil servants of the Institution, aimed at reinforcing their capacity to monitor human rights violations.

16. From 2 to 6 August 2010, OHCHR participated in a meeting on the theme "Global exchange on national human rights commissions: creating a road map for improved legal protection and community empowerment", organized by the Rockefeller Foundation Bellagio Center, the Fordham Law School, the Leitner Center on International Law and Justice and the Human Rights Institute of the Columbia Law School. The meeting aimed at identifying best practices among existing national human rights institutions in a range of countries, with a view to producing a road map to guide the process of establishing a national human rights institution in the United States of America. The meeting took place in Bellagio, Italy.

17. Following the adoption in 2008 of a law establishing a national human rights institution in Uruguay, OHCHR has been assisting the Government in its efforts to set up this institution, including by providing advice on the drafting of the regulations and the criteria to observe the process of appointment of the institution's members.

2. Africa

18. During the reporting period, OHCHR regional offices in Central Africa, East Africa, Southern Africa and West Africa; the country offices in Mauritania, Togo and Uganda; the human rights advisers to the United Nations country teams in Guinea, the Great Lakes region, Kenya, Madagascar, the Niger and Rwanda; and the human rights components of the United Nations missions in Burundi, the Central African Republic, Chad, Côte d'Ivoire, Darfur (the Sudan), the Democratic Republic of the Congo, Guinea-Bissau, Liberia, Sierra Leone, Somalia and the Sudan continued to provide advice and assistance in the establishment and strengthening of Ombudsman, mediator and other national human rights institutions in Africa.

19. In April 2009, OHCHR and OIF carried out a joint assessment aimed at strengthening the independence and capacities of the National Human Rights Institution of Mali. In 2009, following an OHCHR-organized workshop for parliamentarians on mainstreaming Paris Principles in the legislative process, the Parliament of Mali adopted the National Human Rights Institution Law (19 November 2009), an implementing decree (30 November 2009) and by-laws appointing the Commissioners (12 March 2010).

20. In November 2009, OHCHR organized, through its regional office in East Africa, a capacity-building activity for staff of the National Human Rights Institution of Djibouti on monitoring human rights violations.

21. During her official visit to South Africa in December 2009, the United Nations High Commissioner for Human Rights announced the launch of a project aimed at strengthening the capacity of the South African Human Rights Commission to address human rights concerns related to discrimination and xenophobia. The project's implementation started in July 2010 with financial and technical support from OHCHR.

22. In the aftermath of the coup d'état of 18 February 2010 in the Niger, the National Commission for Human Rights and Fundamental Freedoms, a national human rights institution accredited with A status, was dissolved. On 20 May 2010, the Government established a National Observatory for Human Rights, which has been acting as a human rights monitoring body during the transitional period. In May 2010, OHCHR provided legal advice to the Government of the Niger on comparative experiences from other national human rights institutions.

23. In February 2010, OHCHR, the United Nations Development Programme (UNDP) and civil society organizations discussed possible technical support to the newly established Human Rights Commission of Zimbabwe. In August 2010, OHCHR and UNDP supported a training workshop for the newly appointed Commissioners. The training aims to provide a new Commissioner with substantive elements on core national human rights institution functions under the Paris Principles and on the role of national human rights institutions in the regional and international human rights system.

24. In May 2010, OHCHR gave legal advice to the Minister of Justice of Botswana on the establishment of a national human rights institution. This advice took into consideration the mandate of the existing Ombudsman.

25. From 31 May to 4 June 2010, OHCHR and the French Association for National Human Rights Commissions carried out a joint mission to Benin to assess the capacities of the Human Rights Commission, which has not been operational for years. Further to that mission, OHCHR provided legal advice on the draft law that is currently under consideration.

26. On 8 June 2010, OHCHR delivered a training session to the National Human Rights Commission of the Congo on the ICC accreditation process. The Commission submitted its application to be reviewed at the October 2010 session of the ICC Subcommittee on Accreditation.

27. On 28 and 29 June 2010, OHCHR participated in a round table organized by the African Network of National Human Rights Institutions in order to strengthen the National Human Rights Commission of Nigeria.

28. In June 2010, the Parliament of the Comoros adopted a law on the establishment of a National Consultative Commission on Human Rights. In cooperation with United Nations Development Programme, the OHCHR Regional Office for Southern Africa supported the efforts to establish and strengthen that institution.

29. In July 2010, OHCHR provided legal advice on the legislation establishing a national human rights institution in Somalia.

30. During 2010, OHCHR and UNDP have supported the Government of Mozambique in establishing a national human rights institution in compliance with the Paris Principles, and in August 2010 they organized a consultation in Maputo on the appointment procedures for members of national human rights institutions.

3. Asia and the Pacific

31. During the reporting period, the OHCHR Regional Offices in South-east Asia and the Pacific; the country offices in Nepal and Cambodia; the human rights advisers to the United Nations country teams in Papua New Guinea and Sri Lanka; and the human rights components of United Nations missions in Afghanistan and Timor-Leste continued to provide advice and assistance in the establishment and strengthening of national human rights institutions in Asia and the Pacific.

32. Since September 2009, OHCHR and the Asia-Pacific Forum of National Human Rights Institutions have been providing advice to the authorities in Papua New Guinea in the drafting of the law for the establishment of a national human rights institution.

33. In October 2009, upon the completion of a two-year capacity-building project, the National Human Rights Institution of Timor-Leste, OHCHR and UNDP started to develop a technical assistance project for the period 2010-2014. The project focuses on broadening human rights knowledge, as well as strengthening the investigation, monitoring and education skills of the staff of the national human rights institution.

34. In October 2009, OHCHR, UNDP, the Asia-Pacific Forum and the Human Rights Commission of Malaysia (SUHAKAM) assisted the National Human Rights Institution of Maldives to undertake a self-capacity needs assessment with a view to strengthening its capacities.

35. From 20 to 30 November 2009, OHCHR, the Asia-Pacific Forum and the Australian Human Rights and Equal Opportunity Commission conducted a mission to Nauru with a view to consulting the Government on options regarding the establishment of an national human rights institution in compliance with the Paris Principles.

36. During her official visit to Japan on 13 and 14 May 2010, the United Nations High Commissioner for Human Rights encouraged the Government to consider the establishment of a national human rights institution in line with the Paris Principles.

37. On 1 and 2 December 2009 in Jakarta, OHCHR and the United Nations Population Fund supported the National Human Rights Commission of Indonesia in convening a consultation with other specialized national commissions in the region, along with several national human rights institutions, in order to explore possible collaboration regarding the promotion and protection of women's rights.

4. Europe and Central Asia

38. During the reporting period, the OHCHR Regional Offices in Brussels and Central Asia, the office in Kosovo, the human rights advisers in Albania, South Caucasus, the Republic of Moldova, the Russian Federation, Serbia, Tajikistan and the former Yugoslav Republic of Macedonia, and the human rights adviser of the United Nations Regional Centre for Preventive Diplomacy for Central Asia in

Turkmenistan, have continued to provide advice and assistance in the establishment and strengthening of national human rights institutions in Europe and Central Asia.

39. OHCHR monitored and supported the process of recruiting the Kosovo Ombudsman. Following a transparent process, the Office provided advice to the Ombudsman on redrafting the enabling legislation of the Ombudsman according to the requirements for ICC accreditation.

40. In July 2009, OHCHR provided comments on amendments to the Law of the Ombudsman of the Former Yugoslav Republic of Macedonia in the light of the Paris Principles.

41. From 10 to 14 November 2009, OHCHR and UNDP organized a workshop for the Ombudsman of Kyrgyzstan on complaints procedures. The United Nations and the Ombudsman developed a technical cooperation project (2009-2011) aimed at further strengthening the institution.

42. In 2009, OHCHR supported the newly established Tajik Ombudsman and advised on the development of his office's strategic plan and internal regulations.

43. In November 2009, UNDP and OHCHR briefed the Government of Turkey on the establishment of a national human rights institution in line with the Paris Principles. In February 2010, OHCHR participated in a meeting on the implementation of human rights standards concerning national human rights institutions organized by the European Union in Ankara.

44. In November 2009, the High Commissioner for Human Rights addressed the joint annual Human Rights Conference on Economic, Social and Cultural Rights organized by the Irish Human Rights Commission and the Law Society of Ireland.

45. OHCHR has assisted the strengthening of the Moldovan Centre for Human Rights, by providing legal advice and assisting it in seeking accreditation to ICC. Following its accreditation in November 2009, OHCHR provided advice to the national human rights institution on the ways and means to interact with the international human rights system.

46. In 2009, OHCHR conducted training for staff from the Office of the Ombudsman of Azerbaijan on United Nations-compliant procedures and for staff from the Office of the Public Defender of Georgia on international human rights standards.

47. In 2010, OHCHR assisted the Government of Norway to strengthen the compliance of the national human rights institution with the Paris Principles.

48. During the reporting period, OHCHR worked with the Office of the Ombudsman of Serbia and with non-governmental organizations on the national preventive mechanism against torture. It also provided advice to the Ombudsman to seek accreditation to ICC.

49. In her official visit to Italy in March 2010, the High Commissioner held conversations with the Government and members of the Parliament regarding the establishment of a Paris Principles-compliant national human rights institution.

50. On 23 April 2010, OHCHR co-organized a consultation meeting on the possible establishment of an Ombudsman institution in the Principality of Monaco.

51. Further to a recommendation from the Subcommittee on Accreditation, in July 2010, OHCHR provided comparative examples to the National Human Rights Institution of Luxembourg on legal provisions to protect the legal liability for actions undertaken in the official capacity of members of national human rights institutions.

52. In the context of a country mission from 19 to 22 July 2010, OHCHR staff discussed with the Government of Belarus and the United Nations country team possible paths for implementing the recommendation of the universal periodic review regarding the establishment of a national human rights institution in line with the Paris Principles.

53. In September 2010, OHCHR participated in a conference in Tbilisi on the role and impact of the Ombudsman in enhancing protection of human rights. The conference was held under the auspices of the Ombudsman of Georgia with the financial support of the European Union.

5. Middle East and North Africa

54. During the reporting period, the OHCHR Middle East Regional Offices, the United Nations Human Rights Training and Documentation Centre for South-west Asia and the Arab Region, the OHCHR office in the Occupied Palestinian Territory and the human rights components of the United Nations Assistance Mission for Iraq (UNAMI) continued to provide advice and assistance on the establishment and strengthening of national human rights institutions in the Middle East and North Africa region.

55. From 8 to 11 August 2009, OHCHR participated in a mission organized and led by the Asia-Pacific Forum, to explore further assistance to the National Human Rights Institution in the Occupied Palestinian Territory.

56. During her official visits to Kuwait and the United Arab Emirates in April 2010, the United Nations High Commissioner for Human Rights encouraged the Governments of those countries to establish national human rights institutions in compliance with the Paris Principles.

B. OHCHR support for regional initiatives of Ombudsman, mediator and other national human rights institutions

1. The Americas and the Caribbean

57. From 23 to 26 February 2009 in Colombia, the OHCHR Regional Office in Panama organized, in cooperation with the Ibero-American Federation of the Ombudsman, a seminar on economic, social and cultural rights.

58. On 29 August 2009, the OHCHR Regional Office in Panama delivered training on the Optional Protocol to the Convention against Torture for staff of the national human rights institutions of Belize, Costa Rica, Guatemala, Honduras, Nicaragua and Panama. This activity was organized in cooperation with the Association for the Prevention of Torture.

59. OHCHR provided technical and financial support to the Eighth General Assembly of the Network of National Institutions for the Promotion and Protection of Human Rights of the Americas that took place in Madrid on 29 October 2009.

60. On 23 and 24 November 2009, the OHCHR Regional Office in Panama co-organized with nine United Nations regional offices a workshop on monitoring and promoting the rights of indigenous peoples for the national human rights institutions of Bolivia (Plurinational State of), Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Peru and Venezuela (Bolivarian Republic of). A network of focal points on indigenous issues was established.

61. In December 2009 and March 2010, OHCHR assisted in the organization of two regional seminars on the universal periodic review for Governments, national human rights institutions and United Nations country teams. Those seminars took place in Panama.

62. From 13 to 15 September 2010, OHCHR participated in the second meeting of the Network of Defensorías locales y metropolitanas held in Montevideo. The Network aims at promoting joint strategies for the defence of human rights in the cities. It is composed of defensorías that operate in a capital city or urban metropolis, including, among others, those of Brasilia, Buenos Aires, Mexico City and Montevideo.

2. Africa

63. With OHCHR assistance, the statute of the Subregional Network of National Human Rights Institutions in West Africa was adopted in October 2009 and its governing bodies were designated.

64. In September 2009, OHCHR participated in a training organized by the Raoul Wallenberg Institute in Nairobi for new human rights commissioners in East Africa, focused on the core functions and mandate of a Paris Principle-compliant national human rights institution and the international human rights system.

65. The Seventh Conference of African National Human Rights Institutions on Peace and Justice: the Role of National Human Rights Institutions, was held in Rabat from 3 to 5 November 2009. The Conference was organized by OHCHR, the Advisory Council on Human Rights of Morocco, the Network of African National Human Rights Institutions and OIF. The Conference adopted the Rabat Declaration, in which participants recognized the role of national human rights institutions in facilitating justice and peace. National human rights institutions also received training on investigation techniques, facilitated by OHCHR and the Ombudsman of Ontario.

66. The meetings of the General Assembly and the Steering Committee of the Network of African National Human Rights Institutions were held at the Conference in Rabat. The National Human Rights Institution of Morocco was elected as the new Chair for the Network and the South African National Human Rights Institution as the Vice-Chair. OHCHR will continue to provide technical and financial support to the secretariat of the Network.

67. From 9 to 12 November 2009, OHCHR organized a conference in Bamako on the preparation of reports to the treaty bodies and the role of national human rights institutions regarding migration in West Africa. A total of 50 representatives from Governments, national human rights institutions and non-governmental organizations attended the conference. It focused on following up on the

commitments of the Santa Cruz Declaration,[1] and on adopting a road map to promote and protect the rights of migrants.

68. The National Human Rights Institution of Morocco organized a meeting on strengthening the relationship between national human rights institutions and the human rights treaty bodies system. The meeting took place on 9 and 10 June 2010 in Marrakech and gathered together representatives from all the regional networks of national human rights institutions, OHCHR and the Chair of the International Criminal Court. Treaty body experts participated as observers.

69. In June 2010, OHCHR supported the organization of a workshop on Regional Human Rights Mechanisms and National Human Rights Institutions in Dakar.

70. OHCHR participated in the workshop for East and Southern Africa national human rights institutions on the Continental Human Rights Mechanisms in Africa on 30 July 2010 in Pretoria.

71. During the reporting period, OHCHR continued to support the secretariat of the Network of African National Human Rights Institutions.

3. Asia and the Pacific

72. OHCHR participated in the Fifteenth Annual Meeting of the Asia-Pacific Forum, held in Bali, Indonesia, from 3 to 5 August 2010. The partnership between OHCHR, UNDP and the Forum was discussed, including the joint-capacity assessments programmes implemented in the first half of 2010 in Malaysia and Maldives.

4. Europe

73. From 24 to 26 November 2009, OHCHR and the UNDP Bratislava Regional Centre organized a workshop in Geneva on the role of national human rights institutions and their cooperation with the United Nations human rights machinery. That event was aimed at strengthening the capacity of Ombudsman and other national human rights institutions from the Commonwealth of Independent States and Croatia.

74. The OHCHR Regional Office in Brussels organized a regional briefing in Ljubljana, on 6 and 7 September 2010, on the universal periodic review. Ombudsman, mediator and other national human rights institutions attended the event.

5. Middle East and North Africa

75. OHCHR supported the national human rights institutions of Morocco and Jordan in effectively delivering their mandates as regional Chairs of the national human rights institution coordinating groups of Africa and Asia, respectively.

76. In April 2010, the High Commissioner delivered an opening statement during the Gulf Forum for National Human Rights Institutions hosted in Qatar by the Gulf Cooperation Council.

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[1] Adopted during the Eighth International Conference of National Human Rights Institutions for the Promotion and Protection of Human Rights of the Americas, held in Santa Cruz, Plurinational State of Bolivia, from 24 to 26 October 2006.

C. International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights

1. The ICC Subcommittee on Accreditation

77. OHCHR provided secretarial support to the meetings of the ICC Subcommittee on Accreditation in March 2009, November 2009 and March 2010. As of June 2010, 91 institutions were accredited by ICC, more than 35 of which are Ombudsman institutions, inter alia, in the following regions: Africa (Ghana, Namibia and the United Republic of Tanzania); the Americas (Antigua and Barbuda), Argentina, Barbados, Bolivia (Plurinational State of), Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Puerto Rico and Venezuela (Bolivarian Republic of); Europe and Central Asia (Albania, Armenia, Austria, Azerbaijan, Bosnia and Herzegovina, Croatia, Georgia, Poland, Portugal, the Republic of Moldova, the Russian Federation, Serbia, Slovenia, Spain and Ukraine); and Asia and the Pacific (Timor-Leste).

78. As of June 2010, 67 national human rights institutions (30 of which are Ombudsman institutions) were accredited with A status by ICC.

79. During the reporting period, three Ombudsman institutions were granted accreditation status by ICC: the Protector of Citizens of the Republic of Serbia (A status), the Human Rights Centre of Moldova (B status) and the Human Rights Ombudsman of the Republic of Slovenia (B status). The Ukrainian Parliament Commissioner for Human Rights was upgraded from B to A status in March 2009.

80. During the reporting period, the Ombudsmen of Azerbaijan and Honduras (both A status institutions) were placed under special review for October 2010. The Subcommittee on Accreditation based those decisions on the concerns raised by the Committee against Torture regarding the independence of the National Human Rights Institution of Azerbaijan in its concluding observations (CAT/C/AZE/CO/3), and on the concerns regarding the role of the Ombudsman of Honduras, raised in the report of OHCHR to the Human Rights Council (A/HRC/13/66) on the violations of human rights in Honduras since the coup d'état on 28 June 2009.

81. In November 2009, the Ombudsman of Bosnia and Herzegovina (an A status institution) was informed of the Subcommittee's intention to downgrade it to B status, given, inter alia, the lack of involvement of civil society and other groups in the appointment process of members of the National Human Rights Institution. The institution was given the opportunity to provide, in writing, within one year, the documentary evidence deemed necessary to establish its continued conformity with the Paris Principles.

2. Twenty-third session of the International Coordinating Committee

82. In its capacity as secretariat of ICC, OHCHR provided support and facilitated the twenty-third session of ICC, held in Geneva from 22 to 25 March 2010. During the session, Ms. Rosslyn Noonan, the Chairperson of the National Human Rights Institution of New Zealand, was elected as the Chair of ICC for 2010-2013.

83. The twenty-third session of ICC was attended by representatives from over 64 national human rights institutions from around the world, including Ombudsman, mediator and other national human rights institutions. Regional networks of national human rights institutions, international associations such as the l'Association

francophone des commissions nationales de promotion et de protection des droits de l'homme, members of the International Ombudsman Institute (IOI) and the Association of Mediterranean Ombudsmen also participated. The meeting was also attended by the independent expert on the situation of human rights in Haiti and the Special Representative of the Secretary-General on violence against children.

84. At its twenty-third session, ICC considered follow-up to previous international conferences such as the Durban Review Conference, the Santa Cruz Conference on migration and the Ninth ICC International Conference on National Human Rights Institutions and the Administration of Justice; follow-up to recommendations from international human rights bodies; the ICC Strategic Plan; the role of national human rights institutions in Haiti; the role of national human rights institutions in the protection of women's and children rights; human rights education and training; OHCHR-UNDP-Asia-Pacific Forum capacity-assessment partnership; HIV/AIDS and the role of national human rights institutions. A segment took place on the engagement of national human rights institutions with the mandate of the Special Representative of the Secretary-General on violence against children.

85. During the twenty-third session of ICC, a parallel event took place on the participation of Ombudsman institutions in the international human rights system, with a particular focus on the institutions that are not accredited to ICC.

86. On the margins of the twenty-third session of ICC, two meetings of international associations took place: the meeting of the Commonwealth Forum of National Human Rights Institutions and the meeting of the Association francophone des commissions nationales de promotion et de protection des droits de l'homme.

Bureau meetings

87. OHCHR provided support to the meetings of the ICC Bureau held in Rabat in November 2009 and in Geneva in March 2010, where the ICC Strategic Plan was discussed.

III. Cooperation between OHCHR, United Nations agencies and programmes and international and regional organizations on national human rights institutions, Ombudsmen and mediators

A. United Nations Development Programme

88. During the reporting period, OHCHR continued to strengthen its strategic partnership with UNDP. On the margins of the twenty-third session of ICC, in March 2010, the High Commissioner for Human Rights and the Administrator of UNDP held bilateral conversations with a view to enhancing OHCHR-UNDP partnership in the context of action at the country level to support the establishment and strengthening of national human rights institutions, in close cooperation with ICC.

B. International Ombudsman Institute

89. OHCHR participated in the Ninth World Conference of the International Ombudsman Institute, held in Stockholm from 9 to 12 June 2009, and encouraged increased cooperation among regional and international associations of Ombudsmen and national human rights institutions in the context of the Paris Principles, as well as between those institutions and the United Nations system.

90. On 11 June 2010, the High Commissioner met with the Secretary-General of IOI in order to discuss possible cooperation between OHCHR, ICC and IOI, including by setting up a formal dialogue structure. IOI represents 140 national, regional and local Ombudsman institutions from 75 different countries. Among its members there are national human rights institutions accredited with A status by ICC, including, inter alia, the Ombudsmen of Albania, Argentina, Armenia, Croatia, Guatemala, Mexico, Namibia, Peru, Poland, Portugal, Spain and the United Republic of Tanzania.

C. Ibero-American Federation of the Ombudsman

91. OHCHR attended the Fourteenth Annual Congress of the Ibero-American Federation of the Ombudsman, held in Madrid in October 2009. The Federation is composed of public defenders, procuradores, proveedores, raonadores (razonador), commissioners and presidents of human rights commissions at the national and local levels from the Ibero-American countries. OHCHR provided financial support to Ombudsman and other national human rights institutions of Latin America to ensure participation of their representatives in the meeting.

D. Association of Mediterranean Ombudsmen

92. OHCHR participated in the second meeting of the Association of Mediterranean Ombudsmen (Marseille, France, 18 and 19 December 2008) entitled "Mediterranean Mediators: challenges of a common area", organized by the Mediator of the French Republic in collaboration with the Wali Al Madhalim of Morocco and the Spanish People's Defender. Twenty-eight institutions attended the meeting, as well as representatives of international and regional organizations. The headquarters of the Association of Mediterranean Ombudsmen in Tangier, Morocco, were inaugurated on 4 November 2009.

93. OHCHR participated in the third meeting of the Association of Mediterranean Ombudsmen organized by the Greek Ombudsman in Athens on 14 and 15 December 2009. The meeting was entitled "Transparency in public services: the Ombudsman's role". Twenty-eight institutions participated in the meeting. A resolution was adopted whereby the Association of Mediterranean Ombudsmen decided to develop its cooperation with the United Nations and invited non-ICC Ombudsman, mediators and other national human rights institutions to join the ICC network.

94. OHCHR participated in the fourth meeting of the Association of Mediterranean Ombudsmen in Madrid on 14 and 15 June 2010 on the theme "Immigration and human rights: a challenge for Ombudsman institutions?" The meeting, hosted by the Ombudsman of Spain, adopted a resolution highlighting the Association's engagement in promoting cooperation between the Ombudsman,

mediator and other national human rights institutions handling complaints from migrants.

E. Commonwealth Forum of National Human Rights Institutions

95. OHCHR participated in the meeting of the Commonwealth Forum of National Human Rights Institutions held in Port of Spain on 23 and 24 November 2009. The theme of the meeting was climate change and human rights, with the objective of feeding into the Commonwealth Heads of Government Meeting. A working group on climate change and human rights was set up in order to share actions.

IV. Support provided by OHCHR to national human rights institutions on thematic issues

96. During the twelfth session of the Human Rights Council, OHCHR organized in cooperation with the Ombudsman of Morocco and the Ombudsman of Sweden a side event on the role of the Ombudsman, mediator and other national human rights institutions in the United Nations human rights system.

97. At the margins of the thirteenth session of the Human Rights Council, OHCHR and the Advisory Council on Human Rights of Morocco organized a side event on community reparations in contexts of transitional justice (8 March 2010).

V. Conclusions

98. **Ombudsman, mediator and other national human rights institutions, when in compliance with the Paris Principles, are key elements of a strong national system of promotion and protection of human rights. They can support governments to ensure effective implementation of the State's obligations under international human rights law, including by providing advice with respect to bringing national legislation and national practices and policy in line with international human rights norms and principles.**

99. **The Secretary-General welcomes the adoption of resolution 64/161 by the General Assembly, in which it encouraged Ombudsman institutions to actively draw on the standards enumerated in international instruments and the Paris Principles to strengthen their independence and increase their capacity to act as national human rights protection mechanisms.**

100. **The Secretary-General acknowledges the existence of a variety of institutional models which have been developed out of specific national contexts and encourages Ombudsman, mediator and other national human rights institutions, including those working at the national, regional or subregional levels, to work collaboratively in the promotion and protection of human rights.**

101. **The Secretary-General acknowledges the existence of various associations of the Ombudsman, mediator and other national human rights institutions at the national, regional subregional and international levels. In this regard, he encourages Ombudsman, mediator and other national human rights**

institutions to cooperate with a view to strengthening their capacities to promote and protect human rights.

102. The Secretary-General commends the existence of regional and international associations aimed at pursuing the observance of the Paris Principles among their members.

103. The Secretary-General underlines the ICC experience and jurisprudence acquired through the accreditation process undertaken by its Subcommittee on Accreditation. By recalling General Assembly resolution 64/161, the Secretary-General encourages national institutions, including Ombudsmen, to seek ICC accreditation status.

104. The Secretary-General encourages the ICC to further enhance its cooperation with associations of Ombudsman, mediator and other national human rights institutions in order to promote the ICC accreditation process among the members of such associations.

105. The Secretary-General strongly encourages any association of Ombudsman, mediator and other national human rights institutions to actively foster a broad understanding and observance of the Paris Principles among their members.

106. The Secretary-General urges Member States to provide adequate funding for the effective functioning of Ombudsman, mediator and other national human rights institutions, as well as ensure public awareness on the importance of the role of those institutions.

107. The Secretary-General urges Member States to ensure the implementation of the recommendations emanating from Ombudsman, mediator and other national human rights institutions.

108. The Secretary-General encourages Ombudsman, mediator and other national human rights institutions to interact with the international and regional human rights mechanisms, including the universal periodic review.

Annex

Chart of the status of national institutions accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights

Accreditation status as of June 2010

In accordance with the Paris Principles and the Statute of the International Coordinating Committee, the following classifications for accreditation are used by ICC:

A Compliance with the Paris Principles.

B Not fully in compliance with the Paris Principles.

C Non-compliance with the Paris Principles.

A Status institutions*

National Institution	*Status*	*Year reviewed*
Asia and the Pacific		
Afghanistan: Independent Human Rights Commission	A	October 2007 Placed under review Nov 2008 — A
Australia: Australian Human Rights and Equal Opportunity Commission	A	1999 Oct 2006
India: National Human Rights Commission of India	A	1999 Oct 2006
Indonesia: National Human Rights Commission of Indonesia	A	2000 March 2007
Jordan: National Centre for Human Rights	A	April 2006 March 2007 Oct 2007 Will be reviewed in October 2010
Malaysia: Human Rights Commission of Malaysia (SUHAKAM)	A (see SCA report Nov 2009)	2002 April 2008 Will be reviewed in second half of 2009 To be reviewed by the Subcommittee on Accreditation at its second session of 2010
Mongolia: National Human Rights Commission of Mongolia	A	2002 — A(R)** 2003 Nov 2008

* Unless specified, previous years in the third column refer to the same status as the most recent one.

** A(R) signifies adopted with a reservation.

National Institution	*Status*	*Year reviewed*
Nepal: National Human Rights Commission of Nepal	A	2001 — A(R) 2002 — A Special review started in April 2006; Under review in March 2007 Oct 2007 Nov 2008 — A (to be reviewed in second half of 2009) In 2009 deferred to first session of 2010 March 2010: recommended to be accredited with B
New Zealand: New Zealand Human Rights Commission	A	1999 Oct 2006
Palestine: Palestinian Independent Commission for Citizen's Rights	A	2005 — A(R) March 2009 — A
Qatar: National Committee for Human Rights	A	Oct 2006 (B) Nov 2008: deferral to March 2009 March 2009 — A Will be reviewed in 2010 (first session) March 2010: deferral to October 2010
Philippines: Philippines Commission on Human Rights	A	1999 March 2007 Oct 2007
Timor-Leste: Provedoria for Human Rights and Justice	A	April 2008
Republic of Korea: National Human Rights Commission of the Republic of Korea	A	2004 Nov 2008
Thailand: National Human Rights Commission	A	2004 Nov 2008
Africa		
Cameroon: National Commission on Human Rights and Freedoms	A	1999 — A Oct 2006 — B March 2010 — A
Egypt: National Council for Human Rights	A	April 2006 — B Oct 2006
Ghana: Commission on Human Rights and Administrative Justice	A	2001 Nov 2008
Kenya: Kenya National Commission on Human Rights	A	2005 Nov 2008

National Institution	*Status*	*Year reviewed*
Malawi: Malawi Human Rights Commission	A	2000 March 2007
Mauritius: Commission nationale des droits de l'homme	A	2002 April 2008
Morocco: Conseil consultatif des droits de l'homme du Maroc	A	1999 — A(R) 2001 October 2007 Will be reviewed in October 2010
Namibia: Office of the Ombudsman	A	2003 (A (R)) April 2006
Rwanda: National Commission for Human Rights	A	2001 Oct 2007
Senegal: Comité sénégalais des droits de l'homme	A	2000 Oct 2007 Will be reviewed in Oct 2010
South Africa: South African Human Rights Commission	A	1999 — A(R) 2000 Oct 2007
Togo: National Commission for Human Rights	A	1999 — A(R) 2000 Oct 2007
Uganda: Uganda Human Rights Commission	A	2000 — A(R) 2001 April 2008
United Republic of Tanzania: National Human Rights Commission	A	2003 — A(R) 2005 — A (R) Oct 2006
Zambia: Zambian Human Rights Commission	A	2003 A(R) Oct 2006
The Americas		
Argentina: Defensoría del Pueblo de la Nación Argentina	A	1999 Oct 2006
Bolivia: Defensor del Pueblo	A	1999 — B 2000 March 2007
Canada: Canadian Human Rights Commission	A	1999 Oct 2006
Colombia: Defensoría del Pueblo	A	2001 Oct 2007

National Institution	*Status*	*Year reviewed*
Costa Rica: Defensoría de los Habitantes	A	1999 Oct 2006
Ecuador: Defensor del Pueblo	A	1999 — A(R) 2002 April 2008 2009
El Salvador: Procuraduría para la Defensa de los Derechos Humanos	A	April 2006
Guatemala: Procuraduría de los Derechos Humanos de Guatemala	A	1999 — B 2000 — A(R) 2002 April 2008
Honduras: Comisionado Nacional de los Derechos Humanos de Honduras	A	2000 Oct 2007 A status placed under special review for October 2010
Mexico: Comisión Nacional de los Derechos Humanos	A	1999 Oct 2006
Nicaragua: Procuraduría para la Defensa de los Derechos Humanos	A	April 2006
Panama: Defensoría del Pueblo de la República de Panamá	A	1999 Oct 2006
Paraguay: Defensoría del Pueblo de la República del Paraguay	A	2003 Nov 2008
Peru: Defensoría del Pueblo	A	1999 March 2007
Venezuela (Bolivarian Republic of): Defensoría del Pueblo	A	2002 April 2008
Europe		
Albania: Republic of Albania People's Advocate	A	2003 — A(R) 2004 Nov 2008
Armenia: Human Rights Defender of Armenia	A	April 2006 — A(R) Oct 2006
Azerbaijan: Human Rights Commissioner (Ombudsman)	A	Oct 2006 A status placed under special review for October 2010

National Institution	*Status*	*Year reviewed*
Bosnia and Herzegovina: Human Rights Ombudsman of Bosnia and Herzegovina	A (see SCA report Nov 2009)	2001 — A(R) 2002 — A(R) 2003 — A(R) 2004 Nov 2008: deferral of review to Oct/Nov 2009 Placed under review — Nov 2009
Croatia: Ombudsman of the Republic of Croatia	A	April 2008
Denmark: Danish Institute for Human Rights	A	1999 — B 2001 Oct 2007
France: Commission nationale consultative des droits de l'homme	A	1999 Oct 2006 review deferred to Oct 2007 Oct 2007
Georgia: Public Defender's Office	A	Oct 2007
Germany: Deutsches Institut für Menschenrechte	A	2001 — A(R) 2002 — A(R) 2003 Nov 2008
Greece: National Commission for Human Rights	A	2000 — A(R) 2001 Oct 2007 Reviewed Nov 2009 A status maintained — Nov 09
Ireland: Irish Human Rights Commission	A	2002 — A(R) 2003 — A(R) 2004 Nov 2008
Luxembourg: Commission consultative des droits de l'homme du Grand-Duché de Luxembourg	A (see SCA report March 2009)	2001 — A(R) 2002 Reviewed in Nov 09 To be reviewed in Oct/Nov 2010
Norway: Center for Human Rights	A	2003 A(R) 2004 A(R) 2005 A(R) April 2006
Northern Ireland (UK): Northern Ireland Human Rights Commission	A	2001 — B April 2006 — B Oct 2006

National Institution	*Status*	*Year reviewed*
Poland: Commissioner for Civil Rights Protection	A	1999 Oct 2007
Portugal: Provedor de Justiça	A	1999 Oct 2007
Russian Federation: Commissioner for Human Rights in the Russian Federation	A	2000 — B 2001 — B Nov 2008
Scotland: Scottish Human Rights Commission	A	Nov 2009: deferral to March 2010 March 2010
Serbia: Protector of Citizens of the Republic of Serbia	A	March 2010
Spain: El Defensor del Pueblo	A	2000 October 2007
Ukraine: Ukrainian Parliament Commissioner for Human Rights	A	2008 — B March 2009 — A
United Kingdom of Great Britain and Northern Ireland: Equality and Human Rights Commission	A	Nov 2008 A status placed under special review for October 2010

B Status institutions*

National Institution	*Status*	*Year reviewed*
Asia and the Pacific		
Maldives: Human Rights Commission	B	April 2008 March 2010
Sri Lanka: Human Rights Commission of Sri Lanka	B	2000 A status placed under review March 2007 October 2007 Reviewed in March 2009
Africa		
Algeria: Commission nationale des droits de l'homme	B	2000 — A(R) 2002 — A(R) 2003 — A Placed under review April 2008 2009 — B March 2010: deferral to October 2010

* Unless specified, previous years in the third column refer to the same status as the most recent one.

National Institution	*Status*	*Year reviewed*
Burkina Faso: Commission nationale des droits de l'homme	B	2002 — A(R) 2003 — A(R) 2005 — (B) April 2006, March 2007
Chad: Commission nationale des droits de l'homme	B	2000 — A(R) 2001 — A(R) 2003 — A(R) Nov 2009 — (B)
Mauritania: Commission nationale des droits de l'homme	B	Nov 2009
Nigeria: National Human Rights Commission of Nigeria	B	1999 — A(R) 2000 — A October 2006 (special review) Placed under review March 2007 October 2007
Tunisia: Comité supérieur des droits de l'homme et des libertés fondamentales	B	2009
Europe		
Austria: The Austrian Ombudsman Board	B	2000
Belgium: The Centre for Equal Opportunities and Opposition to Racism	B	1999 March 2010
Netherlands: Equal Treatment Commission of the Netherlands	B	1999 — B 2004 March 2010
Republic of Moldova: Human Rights Centre	B	Nov 2009
Slovakia: National Centre for Human Rights	B	2002 — C Oct 2007
Slovenia: Human Rights Ombudsman of the Republic of Slovenia	B	2000 March 2010

C Status institutions*

National Institution	*Status*	*Year reviewed*
Africa		
Benin: Commission béninoise des droits de l'homme	C	2002
Madagascar: Commission nationale des droits de l'homme de Madagascar	C	2000 — A(R) 2002 — A(R) 2003 — A(R) April 2006 — status withdrawn Oct 2006
Americas		
Antigua and Barbuda: Office of the Ombudsman	C	2001
Barbados: Office of the Ombudsman	C	2001
Puerto Rico: Oficina del Procurador del Ciudadano del Estado Libre Asociado de Puerto Rico	C	March 2007
Asia and the Pacific		
Hong Kong: Hong Kong Equal Opportunities Commission	C	2000
Iran (Islamic Republic of): Commission Islamique des droits de l'homme	C	2000
Europe		
Romania: Romanian Institute for Human Rights	C	March 2007
Switzerland: Commission fédérale pour les questions féminines	C	March 2009
Switzerland: Federal Commission against Racism	C	1998 — B March 2010

* Unless specified, previous years in the third column refer to the same status as the most recent one.

National Institution	*Status*	*Year reviewed*
Burkina Faso: Commission nationale des droits de l'homme	B	2002 — A(R) 2003 — A(R) 2005 — (B) April 2006, March 2007
Chad: Commission nationale des droits de l'homme	B	2000 — A(R) 2001 — A(R) 2003 — A(R) Nov 2009 — (B)
Mauritania: Commission nationale des droits de l'homme	B	Nov 2009
Nigeria: National Human Rights Commission of Nigeria	B	1999 — A(R) 2000 — A October 2006 (special review) Placed under review March 2007 October 2007
Tunisia: Comité supérieur des droits de l'homme et des libertés fondamentales	B	2009
Europe		
Austria: The Austrian Ombudsman Board	B	2000
Belgium: The Centre for Equal Opportunities and Opposition to Racism	B	1999 March 2010
Netherlands: Equal Treatment Commission of the Netherlands	B	1999 — B 2004 March 2010
Republic of Moldova: Human Rights Centre	B	Nov 2009
Slovakia: National Centre for Human Rights	B	2002 — C Oct 2007
Slovenia: Human Rights Ombudsman of the Republic of Slovenia	B	2000 March 2010

C Status institutions*

National Institution	*Status*	*Year reviewed*
Africa		
Benin: Commission béninoise des droits de l'homme	C	2002
Madagascar: Commission nationale des droits de l'homme de Madagascar	C	2000 — A(R) 2002 — A(R) 2003 — A(R) April 2006 — status withdrawn Oct 2006
Americas		
Antigua and Barbuda: Office of the Ombudsman	C	2001
Barbados: Office of the Ombudsman	C	2001
Puerto Rico: Oficina del Procurador del Ciudadano del Estado Libre Asociado de Puerto Rico	C	March 2007
Asia and the Pacific		
Hong Kong: Hong Kong Equal Opportunities Commission	C	2000
Iran (Islamic Republic of): Commission Islamique des droits de l'homme	C	2000
Europe		
Romania: Romanian Institute for Human Rights	C	March 2007
Switzerland: Commission fédérale pour les questions féminines	C	March 2009
Switzerland: Federal Commission against Racism	C	1998 — B March 2010

* Unless specified, previous years in the third column refer to the same status as the most recent one.

Suspended institutions

National Institution	*Status*	*Year reviewed*
Africa		
Niger: Commission nationale des droits de l'homme et des libertés fondamentales (CNDHLF)	Removed *Note*: CNDHLF was dissolved in February 2010	March 2010: CNDHLF was removed as per its dissolution in February 2010
Asia and the Pacific		
Fiji: Human Rights Commission of Fiji	Suspended *Note*: Fiji resigned from ICC on 2 April 2007	2000 Accreditation suspended in March 2007 for review in October 2007 The Commission resigned from ICC on 2 April 2007